

Notice of Allowability	Application No.	Applicant(s)
	10/016,166	ZHAO, BIN
	Examiner John Juba, Jr.	Art Unit 2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment and remarks filed 1/15/2004.
2. The allowed claim(s) is/are 3,4,6 and 7.
3. The drawings filed on 30 November 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____.
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art, taken alone or in combination, fails to teach or fairly suggest the *combination* of interleaver stages having the recited phase delays and orientations, particularly wherein a polarization selection element is disposed between the stages, as now recited in claims 3, 4, 6, and 7. Applicant *defines* "polarization selection element" at paragraph [0062] of the instant specification.

The "LCD's" between interleaver stages of Sharp, et al (U.S. Patent number 6,049,367) are arrays of polarization *rotators*, and do not include polarization selection elements immediately adjacent the rotators as might be expected in a conventional display. Rather, the polarization elements are placed *outside* the interleaver stages. Although Sharp, et al disclose embodiments (e.g., Fig. 19) having a succession of LCD's and adjacent interleaver stages such that there are polarization selection elements between adjacent interleavers, the interleavers to either side of the polarization selection elements are designed at *different wavelengths*, so as not to satisfy the recited relationships among phase delays. Thus, it is the *combination* of features that distinguishes over the prior art.

The examiner concurs with Applicant's characterization of the Wang, et al reference (U.S. Patent number 6,441,960), and further notes that the polarization walk-off devices of Wang, et al (e.g., 404) would *not* be regarded as a polarization selection device as defined in the instant specification. Although light of a particular polarization

state is "deflected", its transmission through the system is not "mitigated". Mitigating (lessening) the transmission of one component would have been contrary to the intended functioning of the device of Wang, et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Post-allowance papers should be mailed to **Box Issue Fee**. Post-allowance papers may also be faxed to correspondence branch in PUBs. The fax number is (703) 308-5083. The **PUBs customer service** number is (703) 305-8497.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Juba whose telephone number is (571) 272-2314. The examiner can normally be reached on Mon.-Fri. 9 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Drew Dunn can be reached on Mon.- Thu., 9 - 5.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



JOHN JUBA, JR.
PRIMARY EXAMINER
Art Unit 2872

April 6, 2004